

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

1462-PCT-US-00

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/807720

INTERNATIONAL APPLICATION NO.

PCT/US01/06287

INTERNATIONAL FILING DATE

2-28-01

PRIORITY DATE CLAIMED

2-29-00

TITLE OF INVENTION Expression of Antimicrobial Peptide Via the Plastid
Genome to Control Phytopathogenic Bacteria

APPLICANT(S) FOR DO/EO/US

Henry Daniell

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: POSTCARD

U.S. APPLICATION NO. 097/807720 <small>(If known, see 37 CFR 1.51)</small>		INTERNATIONAL APPLICATION NO. PCT/US01/06287		ATTORNEY'S DOCKET NUMBER 1462-PCT-US-00	
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="margin-right: 10px;">\$</div> <div style="text-align: right;">710</div> <div style="border-left: 1px solid black; width: 50px; height: 20px; margin-left: 5px;"></div> </div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="margin-right: 10px;">\$</div> <div style="border-left: 1px solid black; width: 50px; height: 20px;"></div> </div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	68 - 20 =	48	x \$18.00	\$	864 00
Independent claims	1 - 3 =		x \$80.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	270 00
TOTAL OF ABOVE CALCULATIONS =				\$	1844 00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	922 00
SUBTOTAL =				\$	922 00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="margin-right: 10px;">\$</div> <div style="border-left: 1px solid black; width: 50px; height: 20px;"></div> </div>	
TOTAL NATIONAL FEE =				\$	922 00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				<div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="margin-right: 10px;">\$</div> <div style="border-left: 1px solid black; width: 50px; height: 20px;"></div> </div>	
TOTAL FEES ENCLOSED =				\$	922 00
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>922.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3405</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> IP. DEPT. SCHNADER HARRISON SEGAL & LEWIS 36th FLOOR 1600 MARKET ST. PHILADELPHIA, PA 19102 </div> <div style="width: 45%; text-align: right;"> SIGNATURE T. Daniel Christenbury NAME 31,750 REGISTRATION NUMBER </div> </div>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	:		36th Floor
Examiner	:		1600 Market Street
International No.	:	PCT/US01/06287	Philadelphia, PA 19103
Filed	:	2/28/01	
Inventors	:	Henry Daniell	Docket: 1462-PCT-US-00
Title	:	EXPRESSION OF	
	:	ANTIMICROBIAL PEPTIDE	
	:	VIA THE PLASTID GENOME	
	:	TO CONTROL	
	:	PHYTOPATHOGENIC	
	:	BACTERIA	Dated: April 18, 2001

Box PCT

Assistant Commissioner for Patents
Washington, DC 20231

EXPRESS MAIL CERTIFICATION

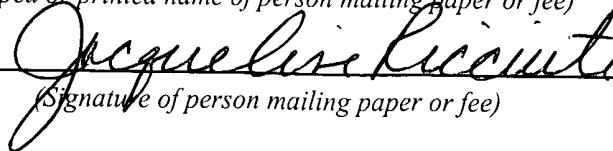
37 C.F.R. §1.10

Express Mail Label No.: EL618696398US
Date of Deposit: April 18, 2001
Description of Contents: Postcard, \$922.00 Check, Application Transmittal Letter(form PTO-1390), in duplicate and executed Combined Declaration, Power of Attorney and Petition.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to **Box PCT**, Assistant Commissioner for Patents, Washington, DC 20231.

JACQUELINE RICCIUTI

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)